

ORDINANCE NO. M-2216

**AN ORDINANCE GRANTING A SPECIAL USE PERMIT
FOR CONSTRUCTION OF A PARKING DECK AT 17400 HALSTED STREET
IN HOMEWOOD, COOK COUNTY, ILLINOIS**

WHEREAS, 65 ILCS 5/11-13-1 *et seq.* authorizes municipalities under 500,000 population to determine and vary the application of their zoning regulations relating to the use of land; and

WHEREAS, 65 ILCS 5/11-13-1.1 authorizes the granting of a special use by passage of an Ordinance; and

WHEREAS, the subject property is located in the B-4, Shopping Center District; and

WHEREAS, a request has been received for a special use permit to locate a parking structure as part of the proposed casino/hotel complex in Homewood and East Hazel Crest at 175th and Halsted; and

WHEREAS, parking decks are allowed as a special use in the B-4, Shopping Center District; and

WHEREAS, the maximum building height in the B-4, Shopping Center District is 40 feet; and

WHEREAS, the proposed parking deck is 51 feet tall at the west elevation and 64 feet tall at the east elevation; and

WHEREAS, the Homewood Planning and Zoning Commission reviewed and considered the requests for approval of a special use permit and zoning variation at its regular meetings on February 10, 2022 and March 24, 2022, and recommended approval of both items; and

WHEREAS, the President and Board of Trustees of the Village of Homewood, Cook County, Illinois deem it appropriate and are willing to grant a special use permit and variance, subject to the terms and provisions hereof.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, that:

SECTION ONE – FINDINGS OF FACT:

1. The subject property is located on the west side of Halsted Street, north of 175th Street and south of the Halsted Street Exchange at I-80/I-294;
2. The subject property is under contract to be purchased by Wind Creek IL, LLC, developer of a casino and hotel complex adjacent to the subject property;
3. Wind Creek IL, LLC has proposed construction of a single parking structure, 51 feet tall at the west elevation and 64 feet tall at the east elevation, 578,500 gross square feet with 1,515 parking stalls;
4. The subject property is 7.097 acres;
5. The underlying zoning district is B-4 Shopping Center District;
6. Parking decks are allowed as a special use in the B-4 district; and
7. The proposed development is to be constructed in general conformity with the following plans, or as amended with the village's approval:
 - Site Plan and Elevation Concept prepared by the Daly Group LLC dated 03/18/2022;
 - Landscape Plan for Project No. 8651;
 - Snow Removal Exhibit prepared by SCB Architecture, Interior Design, and Planning;
 - Homewood Zoning Exhibit dated 3/24/2022;
 - Landscape Plans Schematic Design Section B, Section C, as amended at the Planning & Zoning Commission meeting on March 24, 2022, to include a 3-foot-high berm and 9-foot-tall fence; and
 - Schematic Design Native Tree and Non-native tree dated 07/01/2020 prepared by site design group.

SECTION TWO – LEGAL DESCRIPTION:

The subject property is legally described as follows:

That part of the East half of the Southeast Quarter of Section 29, Township 36 North, Range 14, East of the Third Principal Meridian, bounded and described as follows: beginning at the Point of Intersection of a line 1963.94 feet South of and Parallel with the North Line of the Southeast Quarter of Section 29, with a line 83.00 feet West of and Parallel with the East Line of the Southeast Quarter of said Section 29, as measured on the North Line thereof, (said Point of Beginning also the Point of Intersection of a West Line of the Northern Illinois State Highway Parcel No. T-1A-18.01 with South Line of the Northern Illinois State Toll Highway Parcel T-1A-502); thence (the following three (3) courses being on two (2) West Lines and on a North Line of the Northern Illinois State Tollway Parcel No. T-1A-18.1) South 0°-00'-00" East, a distance of 4.62 feet; thence South 90°-00'-00" East, a distance of 33.00 feet; thence South 0°-00'-00" West, a distance of 425.38 feet; thence North 90°-00'-00" West on a line Perpendicular to the last described course, a distance of 617.08 feet to a point on a line 667.08 feet west of and parallel with the East Line of the Southeast Quarter of Section 29, thence North 0°-00'-00" East on the last described line, a distance of 320.00 feet; thence South 90°-00'-00" East, a distance of 24.00 feet to a point on a line 643.08 feet west of and parallel with the East Line of the Southeast Quarter of said Section 29; thence North 0°-00'-00" East on the last described line, a distance of 172.96 feet to a point on the South Line of the Northern Illinois Toll Highway Parcel No. T-1A-501.2); thence North 89°-41'-20" East of the last described line, a distance of 1.35 feet to the most westerly corner of the Northern State Toll Highway Parcel No. T-1A-502; thence (the following two (2) courses being on the Southwesterly and South Line of said Parcel T-1-A'-502) South 74°-44'-59" East, a distance of 246.02 feet, thence North 89°-41'-20" East, a distance of 321.38 feet to the Point of Beginning, excepting therefrom the East 25.00 feet thereof, all in Cook County, Illinois, and also:

That part of the East half of the Southeast Quarter of Section 29, Township 36 North, Range 14 East of the Third Principal Meridian bounded and described as follows: beginning at the Northeast Corner of Lot 1 in M-R Bank Subdivision, as recorded thence North 0°-19'-02" East 99.55 feet, more or less along the West Line of said Lot 1 extended North to a point on the North Line of Lot 1 in Matteson Richton Bank Subdivision, as recorded, extended westerly, thence South 89°-40'-58" East along said line as extended 203.91 feet more or less, to the Northwest Corner of said Lot 1 in Matteson Richton Bank Subdivision, thence South along the West Line of said Lot 1 in Matteson Richton Bank Subdivision a distance of 99.55 feet, more or less, to the Northeast Corner of Lot 1 in M-R Bank Subdivision, aforesaid; thence North 89°-40'-58" West along the North Line of said Lot 1 in M-

R Bank Subdivision 203.91 feet, more or less, to the Point of Beginning, in Cook County, Illinois and also:

That part of the East half of the Southeast Quarter of Section 29, Township 36 North, Range 14 East of the Third Principal Meridian, beginning at the Southeast Corner of said Lot 200 of Homewood Court Subdivision, being a subdivision and resubdivision of part of the South 20 acres of the North 58 acres of the East half of the Southeast Quarter of Section 29, Township 36 North, Range 14 East of the Third Principal Meridian, according to the plat thereof recorded as Document Number 0934519091 in Cook County, Illinois; thence South 00 Degrees 29 Minutes 18 Seconds West, 66.00' to the South Line of 174th Street; thence South 89 Degrees 12 Minutes 02 Seconds West along said South Line, 294.38 feet; thence North 75 Degrees 14 Minutes 16 Seconds West along said South Line, 246.02 feet; thence North 89 Degrees 12 Minutes 02 West along said South Line, 173.94 feet; thence North 00 Degrees 17 Minutes 15 Seconds West, 66.00' to the Southwest Corner of said Lot 200, also being the North Right of Way Line of said 174th Street; thence North 89 Degrees 12 Minutes 02 Seconds East along said North Line, 257.70 feet; thence South 75 Degrees 14 Minutes 18 Seconds East along said North Line, 169.42 feet; thence North 84 Degrees 20 Minutes 06 Seconds East along said North Line, 286.82 feet to the East Line of said Lot 200; thence South 00 Degrees 29 Minutes 18 Seconds East along said East Line, 44.88 feet to the Point of Beginning, all in Cook County, Illinois.

Permanent Index Numbers: 29-29-409-013-0000,
 29-29-409-012-0000,
 29-29-409-034-0000

Common Address: 17400 Halsted Street
 Homewood, IL 60430

SECTION THREE – ISSUANCE OF SPECIAL USE PERMIT:

A special use permit is hereby granted for construction of a parking deck on the subject property according to the specifications recommended by the Planning and Zoning Commission.

SECTION FOUR – GRANTING OF VARIATION:

The following variation is hereby granted to the petitioner:

A variation from Section 5.3 and Table 5.2 of the Homewood Zoning Ordinance regarding the 40-foot maximum building height restriction to allow construction of a parking structure that is 51 feet tall at the west elevation and 64 feet tall at the east elevation.

SECTION FIVE – ADDITIONAL MATERIALS TO BECOME PART OF THIS ORDINANCE:

The following documents are hereby made part of this Ordinance:

1. The Homewood Planning and Zoning Commission minutes of February 10, 2022, and March 24, 2022, as they relate to the subject zoning.
2. The Homewood Village Board minutes of April 12, 2022, as they relate to the subject zoning.

SECTION SIX – RECORDING:

The Village Attorney shall cause this Ordinance without attachments to be recorded in the Office of the Cook County Clerk – Recording Division.

PASSED and APPROVED this 12th day of April 2022.

Village President

Village Clerk

YEAS: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

CERTIFICATION OF ORDINANCE

I, the undersigned, do hereby certify that I am the duly qualified and acting Village Clerk of the Village of Homewood, Cook County, Illinois (the “*Village*”), and that as such official I am the keeper of the records and files of the President and Trustees of the Village (the “*Corporate Authorities*”).

I do further certify that the foregoing is a true, correct and complete copy of an ordinance adopted on April 12, 2022 at a regularly scheduled meeting of the President and Board of Trustees of the Village of Homewood.

I do further certify that the deliberations of the Corporate Authorities on the adoption of said ordinance were conducted openly, that the vote on the adoption of said ordinance was taken openly, that said meeting was held at a specified time and place convenient to the public, that notice of said meeting was duly given to all of the news media requesting such notice; that an agenda for said meeting was posted at the location where said meeting was held and at the principal office of the Corporate Authorities at least 48 hours in advance of the holding of said meeting; that said agenda described or made specific reference to said ordinance; that said meeting was called and held in strict compliance with the provisions of the Open Meetings Act of the State of Illinois, as amended, and the Illinois Municipal Code, as amended, and that the Corporate Authorities have complied with all of the provisions of said Act and said Code and with all of the procedural rules of the Corporate Authorities.

IN WITNESS WHEREOF, I hereunto affix my official signature and the seal of the Village, on April ___, 2022.

(SEAL)

Village Clerk